

**United States District Court
Northern District of Texas
Dallas Division**

MARTEN GROUP, INC. D/B/A
SENERGY MEDICAL GROUP AND
SCOTT TENNANT,

Plaintiffs

v.

Case No. 3:24-cv-01852-E

JERALD TENNANT, MD, JOHN
TENNANT, TERESA JESSEN
TENNANT, JARED TENNANT,
TENNANT DEVICES AND
ACCESSORIES, LLC, AND
CURADOR, LLC,

Defendants

**Plaintiffs' Unopposed Second Motion for Extension of Time to Respond to
Defendants' Motion for Preliminary Injunction**

Plaintiffs Marten Group, Inc. d/b/a Senergy Medical Group (“Senergy”) and Scott Tennant (collectively, the “Senergy Parties”) file this Motion requesting that the Court extend their deadline to respond to Defendants Jerald Tennant, MD (“Dr. Tennant”), John Tennant, Teresa Jessen Tennant, Jared Tennant, Tennant Devices and Accessories, LLC, and Curador, LLC’s (collectively, the “Dr. Tennant Parties”) Motion for Preliminary Injunction (“PI Motion”) [Dkt. #24] by 7 days, from **October 18 to October 25, 2024**. The Dr. Tennant Parties are unopposed.

On October 7, Magistrate Judge Horan held an oral hearing on the Dr. Tennant Parties' Emergency Motion for Limited Protective Order [Dkt. #33] regarding the deposition of Dr. Tennant, in which the Dr. Tennant Parties argued, among other things, that Dr. Tennant could only sit for 3 hours of deposition time per day. Later that day, Judge Horan issued an Order [Dkt. #42] permitting Dr. Tennant's deposition (as offered by the Senergy Parties) to start at 10:30 a.m., take place over two days, and be limited to 3.5 hours each day, "unless Dr. Tennant now prefers to complete his deposition in a single day." Dkt. #42. The Court further ordered the deposition "must take place and be completed in time for Plaintiff's counsel to be able to obtain the transcript and have reasonable time to use it in complete their response to the [PI Motion]." *Id.*

Following Judge Horan's Order, the parties conferred regarding the date or dates of the deposition. The Dr. Tennant Parties opted for the deposition to take place over one day of 7 hours rather than be split into two days of 3.5 hours each day. Because a 7-hour deposition beginning at 10:30 a.m. would likely end at 7:30 p.m. or later—and the Senergy Parties' counsel had an evening conflict on the previously scheduled October 9 deposition date—the parties agreed to reschedule Dr. Tennant's deposition to October 16 at 10:30 a.m. As such, the parties also agreed to a corresponding extension of the PI Motion's response date to October 25.

The extension is not requested for the purpose of delay, will not prejudice any party, will not interfere with any other deadlines in this case, and is made in good faith. Accordingly, the Senergy Parties requests that the Court grant a 7-day extension of time to respond to the PI Motion from **October 18 to October 25, 2024.**

October 10, 2024

Respectfully submitted,

GRIFFITH BARBEE PLLC

/s/ Michael Barbee

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CERTIFICATE OF WORD COUNT

The undersigned certifies this document contains 409 words, excluding the case caption, signature block, and certificates. This certificate was prepared in reliance on the word-count function of the word-processing system (Microsoft Word) used to prepare the document.

Dated: October 10, 2024

/s/ *Michael Barbee*

Michael Barbee

CERTIFICATE OF SERVICE

The undersigned certifies this document was filed electronically in compliance with Local Rule 5.1. As such, it was served on all counsel of record on October 10, 2024.

/s/ *Michael Barbee*

Michael Barbee

CERTIFICATE OF CONFERENCE

Per Local Rule 7.1, the undersigned certifies counsel for Plaintiffs conferred with counsel for Defendants on October 7, 2024 regarding the relief requested by this Motion. Defendants' counsel indicated they were unopposed.

/s/ *Michael Barbee*

Michael Barbee